

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the ‘Information System and Network Security Fund’.

“(2) CONTENTS OF FUND.—

“(A) IN GENERAL.—The Fund shall consist of such amounts as may be appropriated for deposit in the Fund.

“(B) AVAILABILITY.—

“(i) IN GENERAL.—Amounts deposited in the Fund shall remain available through the end of the tenth fiscal year beginning after the date on which funds are first appropriated to the Fund.

“(ii) REMAINDER TO TREASURY.—Any unobligated balances in the Fund after the date described in clause (i) are rescinded and shall be transferred to the general fund of the Treasury.

“(3) USE OF FUND.—

“(A) IN GENERAL.—Amounts deposited in the Fund shall be available to the Director to distribute to eligible entities pursuant to this subsection, in such amounts as the Director determines appropriate, subject to subparagraph (B).

“(B) DISTRIBUTION.—The amounts distributed to eligible entities under this paragraph shall be made for a specific network security purpose, including to enable network recovery from an event affecting the network cybersecurity of the eligible entity.

“(4) ADMINISTRATION OF FUND.—The Director, in consultation with the Secretary and in coordination with the head of each Sector Risk Management Agency, shall—

“(A) establish criteria for distribution of amounts under paragraph (3); and

“(B) administer the Fund to support network security for eligible entities.

“(5) REPORT REQUIRED.—For each fiscal year for which amounts in the Fund are available under this subsection, the Director shall submit to Congress a report that—

“(A) describes how, and to which eligible entities, amounts from the Fund have been distributed;

“(B) details the criteria established under paragraph (4)(A); and

“(C) includes any additional information that the Director determines appropriate, including projected requested appropriations for the next fiscal year.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Fund \$1,500,000,000, which shall remain available until the last day of the tenth fiscal year beginning after the fiscal year during which funds are first appropriated for deposit in the Fund.

“SEC. 2220B. PUBLIC AWARENESS OF CYBERSECURITY OFFERINGS.

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director shall establish a public awareness campaign relating to the cybersecurity services of the Federal Government.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$10,000,000 for each of fiscal years 2022 through 2031 to carry out subsection (a).

“SEC. 2220C. DARK WEB ANALYSIS.

“(a) DEFINITION OF DARK WEB.—In this section, the term ‘dark web’ means a part of the internet that—

“(1) cannot be accessed through standard web browsers; and

“(2) requires specific software, configurations, or authorizations for access.

“(b) AUTHORITY TO ANALYZE.—The Director may monitor the internet, including the dark web, for evidence of a compromise to critical infrastructure.

“(c) MONITORING CAPABILITIES.—The Director shall develop, institute, and oversee capabilities to carry out the authority of the Director under subsection (b).

“(d) NOTIFICATION.—If the Director finds credible evidence of a compromise to critical infrastructure under subsection (c), as soon as is practicable after the finding, the Director shall notify the owner or operator of the compromised critical infrastructure in a manner that protects the sources and methods that led to the finding of the compromise.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2202(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended—

(A) in the first paragraph (12), by striking “section 2215” and inserting “section 2217”; and

(B) by redesignating the second and third paragraphs (12) as paragraphs (13) and (14), respectively.

(3) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2217 and inserting the following:

“Sec. 2214. National Asset Database.

“Sec. 2215. Duties and authorities relating to .gov internet domain.

“Sec. 2216. Joint Cyber Planning Office.

“Sec. 2217. Cybersecurity State Coordinator.

“Sec. 2218. Sector Risk Management Agencies.

“Sec. 2219. Cybersecurity Advisory Committee.

“Sec. 2220. Cybersecurity education and training programs.

“Sec. 2220A. Information System and Network Security Fund.

“Sec. 2220B. Public awareness of cybersecurity offerings.

“Sec. 2220C. Dark web analysis.”.

(4) ADDITIONAL TECHNICAL AMENDMENT.—

(A) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260) is amended, in the matter preceding subparagraph (A), by striking “Homeland Security Act” and inserting “Homeland Security Act of 2002”.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260).

SA 4369. Mr. PORTMAN (for himself, Mr. PETERS, Ms. SINEMA, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. 16 ____ . AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS.

Section 1752(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively, and indenting such subparagraphs two ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by striking “The Director may” and inserting the following:

“(1) IN GENERAL.—The Director may”;

(3) in paragraph (1)—

(A) as redesignated by paragraph (2), by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) accept officers or employees of the United States or member of the Armed Forces on a detail from an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) or from another element of the Federal Government on a nonreimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed three years;”;

(4) by adding at the end the following new paragraph:

“(2) RULES OF CONSTRUCTION REGARDING DETAILS.—Paragraph (1)(C) shall not be construed to impose any limitation on any other authority for reimbursable or nonreimbursable details. A nonreimbursable detail made under such paragraph shall not be considered an augmentation of the appropriations of the receiving element of the Office of the National Cyber Director.”.

SA 4370. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODERNIZATION OF NATIONAL SECURITY CRIMES.

(a) PENALTY FOR EXTRATERRITORIAL KILLING OF A UNITED STATES NATIONAL FOR TERRORIST PURPOSES.—Section 2332(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “in the first degree” after “murder”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

“(2) if the killing is murder in the second degree (as defined in section 1111(a)), be fined under this title, punished by imprisonment for any term of years or for life, or both;”;

(4) in paragraph (3), as so redesignated, by striking “ten years” and inserting “15 years”; and

(5) in paragraph (4), as so redesignated, by striking “three years” and inserting “8 years”.

(b) CLARIFYING UNITED STATES JURISDICTION IN CONSPIRACY CASES.—Section 956 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking “, within the jurisdiction of the United States,”; and

(2) in subsection (b), by striking “, within the jurisdiction of the United States,”.

(c) EXPANDING OFFENSE OF HOSTAGE TAKING AGAINST UNITED STATES NATIONALS ABROAD.—Section 1203 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting after “release of the person detained,” the following: “or in order to coerce, intimidate, or retaliate against a governmental organization or a civilian population,”; and

(2) in subsection (b)—